



MEMORANDUM

B&F

Agenda Item No. 3(H)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. and Members Board of County Commissioners **DATE:** September 18, 2003

FROM: George M. Burgess
County Manager

SUBJECT: Advance to the City of Doral from Utility Taxes

RECOMMENDATION

It is recommended that the Board ratify the attached resolution authorizing the County to provide an advance of \$300,000, for initial municipal start-up costs, to the City of Doral from utility taxes collected by the County on behalf of the City.

BACKGROUND

On June 24, 2003, resident electors within the boundaries of Doral, approved the charter for the City of Doral, thus creating the 35th municipality in Miami-Dade County. Municipal officials were sworn into office on August 21, 2003.

The City Council on August 21, 2003, by City resolution R-03-06, requested the County provide an advance to the City from utility taxes in the amount of \$300,000. The City has requested these funds for interim organizational start-up costs. Utility Taxes are collected by the County on behalf of the City as they are for Palmetto Bay and will be for Miami Gardens.

This item is on the ratification agenda in recognition that a new municipality requires prompt access to their funds to address initial governmental and organizational matters. This ratification is consistent with prior advances granted to newly incorporated municipalities, such as, Palmetto Bay R-1299-02 and Miami Gardens R-801-03.



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: October 7, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 16(A)(37)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 16(A)(37)
10-7-03

RESOLUTION NO. _____

RESOLUTION RATIFYING THE COUNTY MANAGER'S
ACTION OF EXECUTING THE FIRST INTERLOCAL
AGREEMENT WITH THE CITY OF DORAL; AUTHORIZING
THE COUNTY TO PROVIDE AN ADVANCE PAYMENT OF
\$300,000 TO THE CITY OF DORAL FROM UTILITY TAXES
COLLECTED ON BEHALF OF DORAL

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, at the County Commission meeting of July 10, 2003 this Board adopted Resolution No. R-805-03 which authorized the County Manager to administer County business during the period of July 25, 2003 and conclude August 22, 2003 [Agenda Item No. 11(A)(1)]; such actions(s) taken to be in accordance with the policies and procedures established by the Board of County Commissioners and be submitted to the Board for ratification at the County Commission meeting of October 7, 2003,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves and ratifies the First Interlocal Agreement between the City of Doral and the County in substantially the form attached hereto.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson	
Katy Sorenson, Vice-Chairperson	
Bruno A. Barreiro	Jose "Pepe" Diaz
Betty T. Ferguson	Sally A. Heyman
Joe A. Martinez	Jimmy L. Morales
Dennis C. Moss	Dorrian D. Rolle
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of October, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

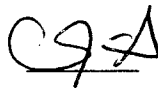
MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Cynthia Johnson-Stacks



RESOLUTION NO. 03- 06

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY; AUTHORIZING THE MAYOR, CITY MANAGER, AND CITY ATTORNEY TO NEGOTIATE TERMS AND FINALIZE THE INTER-LOCAL AGREEMENT; REQUESTING THE RELEASE OF MUNICIPAL FUNDS FOR INTERIM ORGANIZATIONAL EXPENDITURES OF THE CITY FROM EXISTING REVENUES ACCRUED BY THE COUNTY ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County has offered the City of Doral (the "City") an advance of funds to be utilized by the City for the initiation and start-up of municipal government and the performance of initial municipal services.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

Section 2. **Approval of Form.** The City Council hereby approves the Interlocal Agreement between Miami-Dade County (the "County") and the City to receive municipal funds necessary for interim organizational expenditures of the City from existing revenues accrued by the County on behalf of the City, largely in the form prescribed in the attached Exhibit "A".

Section 3. **Authorization to Negotiate.** The Mayor, City Manager, and City Attorney are authorized to negotiate future releases of municipal funds from Miami-Dade County.

Section 4. **Execution of Agreement.** The Mayor is authorized to execute this Interlocal Agreement.

Section 5. **Release of Funds.** The City Council hereby requests the immediate release of funds from the County for interim organizational expenditures of the City from existing

revenues accrued by the County on behalf of the City.

Section 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED and ADOPTED this 21st day of August, 2003.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL:



CITY ATTORNEY

EXHIBIT "A"
INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT (the "Agreement") is entered into between Miami-Dade County, a political subdivision of the State of Florida (the "County") and the City of Doral, a municipal corporation of the State of Florida, (the "City") this 21st day of August, 2003.

WHEREAS, on the 24th day of June, 2003, a Charter for the City of Doral was approved by the residents of Doral and the City Council was sworn into office on the 21st day of August, 2003; and

WHEREAS, the City Council by resolution has requested assistance from the County for the advance of funds to be utilized by the City for the initiation and start-up of municipal government and the performance of initial municipal services; and

WHEREAS, the County will be collecting certain revenues on behalf of the City and desires to provide the assistance requested.

NOW, THEREFORE, the parties agree as follows:

Section 1. Funding Assistance. Within seven (7) days after the date of execution of this Agreement, the County shall provide to the City an advance of funds in the amount of Three Hundred Thousand Dollars (\$300,000) to be utilized by City for the purposes set forth in Section 2 of this Agreement. Any repayment of the funds advanced shall be subject to negotiation as set forth in Section 3 of this Agreement.

Section 2. Use of Advanced Funds. The City agrees that the funds advanced to the City

shall be used by the City for the initiation and start-up of municipal government and the performance of initial municipal services.

Section 3. Transition. The County and the City shall promptly meet, by and through their authorized representatives, to negotiate the terms, conditions and provisions which will govern the transition of government services and functions from the County government to the City government, and the reconciliation of funds advanced by the County to the City hereunder.

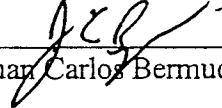
Section 4. Records. The City shall produce and maintain records, such as vouchers, bills, invoices and receipts sufficient to reflect properly all receipts and expenditures of funds provided under this Agreement.

Section 5. Effective Date. This Agreement shall be effective immediately upon execution by both parties hereto.

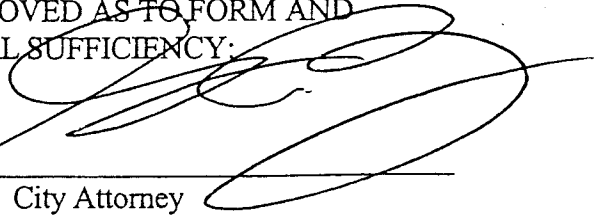
IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on their behalf as of the date first above written.

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CITY OF DORAL,
a municipal corporation

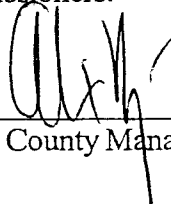
By: 
Juan Carlos Bermudez, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BY: 
City Attorney

MIAMI-DADE COUNTY
a political subdivision of
the State of Florida

By its Board of County
Commissioners:

By: 
County Manager

ATTEST:

HARVEY RUVIN, CLERK

By _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By _____
County Attorney